

REMARKS

This communication is in response to the Office Action mailed on March 26, 2007.

The Office Action first reports that only one sheet of PTO-1449 form was received in the IDS filed December 26, 2006. This is correct. Reference to 4 sheets was in error.

The Office Action next reports that claims 1-56 were indefinite. In particular, it was cited that the term "abstractions" was indefinite. With this Amendment, applicants have deleted the term. It is respectfully submitted that the claims as amended fulfill the requirements of 35 U.S.C. 112 in that each of the claims of the present application when considered as a whole apprises one of ordinary skill in the art of its scope and, therefore, serves the notice function required by 35 U.S.C. 112, second paragraph, by providing clear warning to others as to what constitutes infringement of the patent. See, e.g., *Solomon v. Kimberly-Clark Corp.*, 216 F.3d 1372, 1379, 55 USPQ2d 1279, 1283 (Fed. Cir. 2000). See also, MPEP 2173.02.

The Office Action next reports that claims 1, 2, 4-8, 12, 13, 15-19, 23, 24, 26-30 and 52 were rejected under 35 U.S.C. §102(e) as being anticipated by Dantzig et al. (US Patent 7,020,841). Of these claims, claims 1, 12, 23 and 52 are independent claims.

From review of this Office Action and in comparison with the previous Office Action it appears that the same reasoning for the rejections is provided. Specifically, the basis of the rejection for the first recited element, "first set of controls", is set forth on pages 3-4, while the basis of the rejection for the second recited element, "second set of controls" is then provided on pages 4-5. Finally, on pages 5-6, the Office Action sets forth the reasoning concerning the last recited element, the module that is configured to receive an

authoring page comprising the first and second controls and from them is configure to generate client side markup. The response to Applicant's arguments is provided on pages 9-12.

The Office Action reports that Applicant's arguments are traversed particularly with respect to the processing threads and the IML file of Dantzig et. al. Nevertheless, it is believed the arguments are correct and are hereby incorporated by reference in their entirety herein. However, rather than merely repeating those arguments, Applicants will address some of the statements made on pages 9-12, which it is believed will clarify the patentable features of the claims.

In the Office Action it appears that "controls" as used in the claims is being defined broadly "as how a webpage is presented by markup language". (Office Action, page 10, lines 5-6). However, it is respectfully noted that each of the independent claims recites language similar to that in found in claim 1, in particular, "receive an authoring page for a website comprising a plurality of controls, and wherein the module is further configured to process the controls to generate client side markup executable by the client browser". Thus, the controls are not broadly defined as being related to how information is rendered, but rather, specifically, how they are combined to form an authoring page, and moreover, "to generate markup." With this clear distinction, Applicants believe the processing threads and/or IML file do not teach or suggest the claimed features.

It is clear from Dantzig that the IML file is used to generate markup; however, as also clearly stated at col. lines 12-14 that "The IML files **12** comprise a plurality of modality-independent components or instances (e.g., conversational gestures as described in the above-incorporated U.S. Ser. No. 09/544,823)" (emphasis added). In other words, unlike that recited in the independent claims, Dantzig et al. specifically teach that the IMLs, do not contain any controls that have

attributes associated with visual rendering and/or recognition and audibly prompting. Rather, Dantzig et al. will generate modality dependent markup when the modality neutral IML is processed.

From the Office Action it is clear that the Examiner has concluded that the "first set of controls" equates to a first processing thread initiated by a multi-modal presentation manager 11 of Dantzig et al, and likewise, the "second set of controls" equates to a second processing thread initiated by the multi-modal presentation manager 11 of Dantzig et al. (Office Action Page 3, paragraph 4, line 7; Page 4, lines 8-9). Applicants respectfully traverse this characterization of Dantzig et al. at least and particularly in view that claims 12 and 23 specifically recite that the controls include "attributes directly related to defining desired visual renderings on the client device" and "attributes directly related to defining desired operation on the client device comprising at least one of recognition and audibly prompting" (as recited by way of example in claim 23). Moreover, it is these controls with corresponding attributes that form an "authoring page" to define an application that in turn is used by the recited "module" to generate markup. This language simply does not read on "processing threads" or IML as used by Dantzig et al. and as contended in the Office Action.

At column 7, lines 9-12, Dantzig et al. state "In general, the multi-modal presentation manager **11** receives and processes IML input files **12** comprising, e.g., an application." Hence, the IML input files equate to the authoring page for a website, as recited in each of the independent claims. However, and importantly, Dantzig et al. further state in the very next sentence at column 7, lines 12-14 that "The IML files **12** comprise a plurality of modality-independent components or instances (e.g., conversational gestures as described in the above-incorporated U.S. Ser. No. 09/544,823)" (emphasis added). In

other words, unlike that recited in the independent claims, Dantzig et al. specifically teach that the IMLs do not contain any controls that have attributes directly related with visual rendering and/or recognition and audibly prompting. Rather, Dantzig et al. will generate modality dependent markup when the modality neutral IML is processed.

Further on page 10, the Office Action reports:

In VoiceXML, the markup language provides lines of code for controlling both a visual interface with the user and an audible interface with the user.

This statement is traversed. It is believed VoiceXML does not directly support visual or GUI interfaces. In fact at col. 8, lines 55-63, Dantzig states:

VoiceXML is a programming language that has been proposed as a standard for declaratively describing the conversational UI for, e.g., speech browsers and IVR platforms (see, www.voicexml.org) and is well-known in the art. It is to be appreciated that although VoiceXML is primarily directed to scripted speech-enabled applications such as automated customer service applications, the standard does provide programming exits and constructs which are useful in speech-enabling GUIs.

Although VoiceXML may provide programming "exits and constructs" these are simply not controls used to generate client side markup related to visual renderings. In addition, to further clarifying the controls and the role they play in generating client side markup, each of the independent claims, as indicated above, have been amended to recited that the controls have attributes "directly" related to either visual rendering or at least one of recognition and audibly prompting. For the reasons set forth above, Dantzig et al. do not teach this, and in fact, teach away from the features recited in the claims.

Accordingly, applicants respectfully request withdrawal of the rejection and allowance of each of the independent claims.

The dependent claims were rejected based on Dantzig et al. or in combination with Ladd et al. Although each of the dependent claims are allowable simply based on their dependence on allowable independent claims, applicants respectfully believe that each are separately patentable when the features recited by the dependent claim is combined with the features recited in the independent claim from which it depends and any intervening claims. For instance, each of claims 2-4, 7-11, 13-15, 18-21, 24-26, 29-51, 53-56 recite features related to attributes of the controls or the controls themselves, which for the reasons discussed above Dantzig clearly teaches away from such modality dependent instructions. In addition, for the reasons stated in the previous responses, Ladd et al. merely describe a voice browser for interactive services and methods thereof. The system illustrated and described by Ladd et al. provides a number of communication devices 201, 202, 203 and 204 that can access information. Ladd et al. do mention a markup language server 251 or a markup language server 257; however, nowhere do Ladd et al. describe features of the controls as recited in the dependent claims when combined with the features recited in their corresponding independent claim, and if present, intervening claim(s). At best Ladd et al. provide a general description of the markup language servers, but provide no details as to any sort of controls.

The foregoing remarks are intended to assist the Office in examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered exhaustive of the facets of the invention which are rendered patentable, being only examples of certain advantageous features and differences, which applicant's attorney chooses to

mention at this time. For the foregoing reasons, applicant reserves the right to submit additional evidence showing the distinction between applicant's invention to be unobvious in view of the prior art.

Furthermore, in commenting on the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the same and the present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims.

In view of the foregoing, applicants respectfully request reconsideration of the application as amended. Favorable action upon all claims is solicited.

Applicant hereby requests an extension of time to respond to the Office Action. An online charge authorization for the extension of time fee and extra claim charges is enclosed.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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